

FILED 27 JUL '11 10:55 USDC-ORP

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION**

**UNITED STATES OF AMERICA**

No. 3:11-cr-288-HA

**v.**

**INDICTMENT**

**18 U.S.C. §§ 924(c), 1111, 1153**

**TED L. BARNEY, JR.,**

**Defendant.**

**THE GRAND JURY CHARGES:**

**COUNT 1**

**[Murder in the Second Degree]**

On or about July 26, 2011, on the Warm Springs Indian Reservation, within Indian Country, within special maritime and territorial jurisdiction of the United States, and in the District of Oregon, **TED L. BARNEY JR.**, defendant herein, an Indian male, with malice aforethought, did unlawfully kill Delmer S. Davis, an Indian male, all in violation of Title 18, United States Code, Sections 1111 and 1153.

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**COUNT 2**  
**[Using and Carrying a Firearm During and in  
Relation to a Crime of Violence]**

That on or about July 26, 2011, on the Warm Springs Indian Reservation, within Indian Country, within special maritime and territorial jurisdiction of the United States, and in the District of Oregon, **TED L. BARNEY JR.**, defendant herein, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, to wit: Murder in the Second Degree, as alleged in Count One, knowingly used and carried a firearm, the grand jury further alleges that during the commission of this offense the defendant discharged the firearm; all in violation of Title 18, United States Code, Section 924(c).

DATED this 27 day of July 2011.

A TRUE BILL.

  
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OFFICIATING FOREPERSON

Presented by:

DWIGHT C. HOLTON  
United States Attorney

  
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CRAIG J. GABRIEL, OSB #01257  
Assistant United States Attorney